

S.The Signal

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21 July 2009

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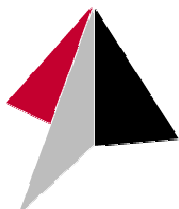
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CEPU's EBA IN TELSTRA MEETINGS for members and other staff

* **TELEPHONE HOOK-UPS**

ADVISORY COMMITTEE: TUESDAY 28 JULY 2009 7PM

COUNTRY BASED MEMBERS: TUESDAY 11 AUGUST 7PM

* **WORK CENTRE VISIT:**

BOX HILL MOBILES 12 Noon to 2PM WEDNESDAY 29 JULY 2009

* **CLAYTON:**

**CEPU ACTIVISTS & MEMBERS SOUTH EAST & EAST OF MELB.:
TUESDAY 4 AUGUST 2009. 6.30PM at CEPU OFFICE 47
HENDERSON RD**

* **CBD METRO**

**12 Noon - 2PM – TUESDAY 28 JULY 2009 – 12.15PM – 1PM & 1.15PM -
2PM. COOPERS INN 282 Exhibition St. (Corner Little Lonsdale St)**

**12 Noon - 2PM: THURSDAY 30 JULY 2009 – 12.15PM to 1PM & 1.15PM
to 2PM**

SCOTS CHURCH HALL, 99 Russell St, (Rear of Church)

* **OUTER METRO**

**SOUTH EAST: 6.30PM TUESDAY 4 AUGUST 2009: CEPU OFFICE, 47
HENDERSON RD, CLAYTON**

**NORTH: 7PM MONDAY 27 JULY 2009: PRESTON MASONIC HALL
382 Bell Street**

**WEST: 7PM THURSDAY 13 AUGUST 2009: WERRIBEE COMMUNITY
CENTRE, 4 Synnot Street Ext. Room 3**

* **BRANCH MEETINGS**

COMMITTEE OF MANAGEMENT: WEDNESDAY 29 JULY 6PM

SPECIAL GENERAL: WEDNESDAY 26 AUGUST 2009 6PM

TELSTRA EA NEGOTIATIONS

Negotiations with Telstra for a new Enterprise Agreement have entered their 4th week.

As previously reported, the talks have so far been quite broad, although considerable time has already been spent by the parties outlining their basic positions on such questions as performance management and performance pay, banding and classification systems and the implications of Labor's new laws for the company and its employees.

Other matters that have been addressed are salary sacrifice provisions, the cashing out and/or purchase of extra leave, redundancy entitlements and, of course, the structure of any final agreement (Part A/Part B or not).

Agreement Framework

One issue is the question of which employees will be covered by the agreement. The CEPU and other Telstra unions have now formally put it to Telstra that they believe all current Telstra employees, including those on ECAs and AWAs should have the right to go "opt in" to the agreement if they want to.

The unions have also proposed that the agreement should:

- be based on a unified classification and career structure that provides a clear basis for transition within and between classification levels;
- guarantee agreed annual minimum wage increases and
- provide fair, objective and measurable criteria for any performance-based component of pay.

- contain a dispute resolution clause which allows Fair Work Australia to settle disputes about the operation of the agreement, through arbitration if required..

There is as yet no agreement on any of these questions, but now the unions' view have been put clearly on the table Telstra's own position should become clearer

FAIR WORK ACT COMMENCES

Since the last E-bulletin, a major change has occurred that will affect all Australian working people. The Howard Government's 12 year-old *Workplace Relations Act* has gone and in its place is Labor's *Fair Work Act* (FWA).

The FWA became law on 1 July, although certain of its elements, such as the National Employment Standards, won't come into effect until January next year.

From now on:

- employers will have to negotiate in good faith with their employees and unions when establishing new enterprise agreements;
- unfair dismissal laws will be extended to cover all employees, including the nearly 4 million workers who lost these rights under Work-Choices;
- there will be a stronger safety net of minimum conditions and a higher threshold for establishing whether enterprise agreements are fair.

As indicated in earlier E-bulletins, the CEPU considers that Labor's new laws need to go further if they are to address the imbalances built into the Australian industrial relations system by the former Government.

In particular, the restraints on industrial action have not changed

significantly and this confers a major advantage on employers.

The CEPU will be joining with other unions to push for a strengthening of employee rights in such areas.

But there is no doubt that FWA offers stronger basic protections for working Australians, especially for the most vulnerable sections of the workforce such as young people who were among the chief victims of Work-Choices.

OPTUS EMPLOYEE PARTNERSHIP AGREEMENT (EPA)

The Optus Employee Partnership Agreement (EPA) is due for renegotiation this year and according to reports the company has already started discussing its contents with employees and has in fact circulated a draft agreement to them.

But the CEPU understands Optus has yet to inform its employees of their new rights under Labor's laws.

Under the *Fair Work Act*, an employer negotiating an agreement with employees must tell them about their representation rights.

If employees are members of a union, that union automatically gets a seat at the bargaining table – unless employees choose someone else to do the job.

So the days when Optus could simply close the door on employee representatives are gone.

The CEPU has members in Optus and in fact is the only union with the right to represent any and all Optus employees. It will be representing its members in bargaining for the next Optus EPA.

While Optus may claim not to have formally started EPA negotiations yet, the CEPU believes its members and other employees in Optus have the right to be told

now about their entitlements under the new legislation.

The CEPU has written to Optus raising these matters and requesting a copy of the draft EPA. We have also notified the company that the union is available to meet to commence discussions at any time.

BRINGING IT ALL BACK HOME: TELSTRA WORK RETURNS FROM PHILIPPINES

In a reversal of recent trends, Telstra will bring work back to Australia that it had outsourced and "off-shored" to the Philippines.

The decision to return resourcing of the Memo business messaging service to Australia comes after months of customer complaints about wrong numbers, wrong names and miss spelt and confusing word combinations being received.

Consumer representatives say that staff dealing with the calls were obviously not properly trained and the result has been "pandemonium", as complaint levels went through the ceiling.

The CEPU has welcomed Telstra's decision but Communications Division Secretary Ed Husic said the sending offshore of Australian jobs by Telstra and other telcos remained a concern.

"It's not like the work's disappearing, they're just sending it all overseas and getting someone else to do it while their balance sheet looks like they've got a lower number of employees," he said.

"Genuine Australian jobs just disappear in a puff of smoke."

The CEPU has been working with other services unions for sometime to highlight the off-shoring issue and to try to get the Federal Government to tighten laws relating to these practices.

UNIONS SUPPORT CEPU INDUSTRIAL CAMPAIGN

In a tremendous show of solidarity for CEPU members' strike/struggle against Telstra Management, the CFMEU Secretary Bill Oliver and RTBU Secretary Trevor Dobbyn have notified us that their respective unions have generously donated \$5000 (CFMEU) and \$200 (RTBU) into the CEPU Members' Welfare Fund.

We thank Bill and the CFMEU, and Trevor and the RTBU on behalf of all Telstra members.

ESTA EBA

The ESTA (Emergency Services Telecommunications Authority) EBA 2006 -2009 has been voted on recently. A valid majority of employees genuinely agreed to the variation and extension of the Agreement for another 3 years. The wage increase (governed by the State Government), is 3.25% per year with increases in some allowances; entitlement to provide a statutory declaration for sick leave; introduction of Assistant Team Leader and some other conditions such as rest breaks have been altered for the betterment of employees.

LET OFF FOR SLACK BUSINESSES UNDER NEW IR LAWS

Businesses will get a six-month grace period under the government's new IR laws that came into effect on 1 July 2009.

This relates to businesses that have underpaid their staff and keep poor records, will be encouraged to co-operative in education and self auditing campaigns to avoid prosecution under the new laws.

Nick Wilson who is the Fair Work ombudsman will oversee compliance to auditing and education campaigns, said "leniency is hard wired into our

approach" and the agency would try to foster "voluntary compliance" with the new laws.

Whatever happened to comply with the law as it exists?

Businesses have had a dream run under Howard and his Work Choices laws, enabling them to strip away workers pay and entitlements.

Is the Rudd government saying that it is ok for businesses to continue to underpay workers????

It is outrageous to think that this government that was so critical of the impact of Work Choices on workers pay and conditions, gives businesses a "grace period" in which to get their act together and use it as an opportunity to continue to underpay workers.

Fair shake of the sauce bottle Kev!!!

CEPU FIGHT: AUST POST EBA CAMPAIGN

Over the past few weeks CEPU members and officials have been discussing the option to take protected industrial action to secure a fairer EBA7 – one that protects our security, safety and pay.

Your union is not prepared to settle for a second rate EBA, which does not protect your rights and take home pay into the future.

Australia Post management are not budging from their original proposal for an EBA7, the union has rejected this proposal for the following reasons:

- Australia Post will not commit to prioritising full-time jobs, putting at risk members job security
- Management will not stop its practice of company owned and instructed Facility Nominated Doctors, putting the safety of sick and injured workers at risk

- Australia Post's attitude towards workplace changes to equipment, practice and pay has been to act first think later, often ending in members losing out in take home pay
- Declining to maintain the 'status quo' during consultation and disputes to workplace changes
- Australia Post will not secure members future by committing to an EBA7 which applies past next year

Australia Post management have attempted to pull the wool over member's eyes by continuing to give pay increases during this time.

However pay increases, along with other working rights are not protected without an EBA7 that allows employees and their union the right to arbitration as a way of fairly resolving disputes.

Members are urged to let Australia Post know they will not let management get more control of their conditions and rights in return for a temporary offer of a pay rise.

LEN COOPER Branch Secretary

UNION DUES 2008/9 (Taxation) Telstra/Aust Post ONLY

Category/Dues Paid/Salary

A - \$514.80

Based on salary \$64,798 & above

B - \$468

Based on salary = \$52,522 but less than \$64,798

C - \$374.40

Based on salary = \$37,147 but less than \$52,522

D - \$187.20

Based on salary less than \$37,147